trouble, because these students are selected through the Governmental agency.

മിസ്റ്റർ. സി. ആർ. ഇയ്യുണ്ണി: ഗവമ്മേണ്ടിൽ നിന്നും ഇതിനെ സംബന്ധിച്ചു എന്തെങ്കിലും ഇപ്പോൾ ചെയ്യാറുണ്ടോ?

റാവു സാഹിബ് ഐ. എൻ. മേനോൻ: ഇപ്പോൾ ഒന്നും ചെയ്യാറില്ല.

## PAY OF MALAYALAM PRIMARY SCHOOL TEACHERS—REVISION OF.

**260. Mr. C. V. Iyyu** (*Kunnamkulam*): Will the Government be pleased to state:—

(*a*) the minimum literary qualification fixed for a teacher in a Malayalam School when the minimum salary of such teachers was fixed at Rs. 17 p. m.;

(*b*) the year in which this was fixed;

(*c*) the minimum salary then fixed for (*i*) an untrained S. S. L. C. (*ii*) a trained S. S. L. C. (*iii*) an untrained Intermediate (*iv*) a trained Intermediate;

(*d*) whether the Government has noted an article in the "Deepam" under the heading "കൊച്ചിയിലെ പ്രാഥമിക അദ്ധ്യാപകന്മാർ" in the issue of that paper dated 2nd Vrischigam 1114;

(*e*) will they be pleased to place a copy of the above article on the Council table;

(*f*) whether this will receive the kind consideration of the Government and an early revision of salaries referred to in the article be effected?

**Rao Sahib I. N. Menon** (*Director of Public Instruction*):

(*a*) Form VI course complete.

(*b*) This qualification was fixed in 1101.

(*c*) There was no minimum salary fixed according to qualification.:

(*d*) Yes.

(*e*) Placed on the table.

(*f*) This can be considered only when finances improve.

## ST. MARY'S CONVENT HIGH SCHOOL, ERNAKULAM—TEACHERS—AGREEMENT—EXECUTION OF.

**261. Mrs. Thankamma N. Menon** (*Women-Ernakulam*): Will the Government be pleased to state:—

(*a*) whether there are any rules regarding bonds to be executed by the teachers employed in aided schools;

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(*b*) are the Government aware that some teachers employed in the St. Mary's Convent High School, Ernakulam are made to sign a paper which the authorities of the said institution now take it for a bond;

(*c*) will the Government be pleased to place on the table a copy of the so-called bond?

**Rao Sahib I. N. Menon** (*Director of Public Instruction*): (*a*) No.

(*b*) Some teachers appear to have signed some sort of an agreement. But Government have no information whether they did it on compulsion or not.

(*c*) A copy of the so-called bond is appended. (*Appendix V.*)

**Mr. C. V. Iyyu** (*Kunnamkulam*): Have Government enquired as to whether this bond was signed under compulsion?

**Rao Sahib I. N. Menon** (*Director of Public Instruction*): The Government made an enquiry. But the question at issue was not whether it was done under intimidation or compulsion or was done deliberately. The question was regarding the validity of certain documents binding on the department. They made enquiries, but not very detailed enquiries.

മിസ്റ്റർ കെ. എസ്സ്. പണിക്കർ: ഇവരെ അപ്പോയിൻറ് ചെയ്തതിനു ശേഷമാണോ ബോണ്ട് എഴുതിക്കൊടുത്തിട്ടുള്ളതു്?

റാവുസാഹിബ് ഐ. എൻ. മേനോൻ: ചിലർ അപ്പോയിൻറ് ചെയ്തതിനുശേഷം എഴുതിക്കൊടുത്തിരിക്കാം, ചിലർ അതിനുമുമ്പു എഴുതിക്കൊടുത്തിരിക്കാം.

മിസ്റ്റർ കെ. എസ്സ്. പണിക്കർ: ഇതിൽ സ്റ്റാർമാർക്ക് ചെയ്തിട്ടുള്ള നാലു പേരൊഴികെ ബാക്കിയുള്ളവരെ സ്കൂളിൽനിന്നും പിരിച്ചുവിടുമെന്നു പറഞ്ഞിട്ടുണ്ടോ?

റാവുസാഹിബ് ഐ. എൻ. മേനോൻ: ഇല്ലാ. ഏല്ലാവരേയും പിരിച്ചുവിട്ടിട്ടില്ലാ. പിരിച്ചുവിടണമെന്നാവശ്യപ്പെട്ടപ്പോൾ അണ് ബോണ്ടിനെപ്പറ്റിയുള്ള ചോദ്യം വന്നതു്. ബോണ്ടു് അവരെ ഭീഷിണിപ്പെടുത്തി എഴുതിച്ചോ ഇല്ലയോ എന്നുള്ള ചോദ്യത്തിന്റെ ആവശ്യം ഇല്ലാ. എങ്ങിനെ എഴുതിച്ചാലും ഗവൺമെൻറിൽനിന്നും അതു റക്കഗ്നൈസ് ചെയ്യാറില്ല.

മിസ്റ്റർ കെ. എസ്സ്. പണിക്കർ: ആ ബോണ്ടിനു് എന്തെങ്കിലും വിലയുള്ളതായി ഗവൺമെൻറ് വിചാരിക്കുന്നുണ്ടോ?

റാവുസാഹിബ് ഐ. എൻ. മേനോൻ: ഇപ്പോഴും അതു ശരിയാണെന്നു ഗവൺമെൻറ് സമ്മതിച്ചിട്ടില്ല.

**Mr. M. K. Devassy** (*Adur*): May I know the reason why the bond was not accepted by Government?

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**Rao Sahib I. N. Menon** (*Director of Public Instruction*) : There are certain specific points to be considered. If the bond is in conformity with the rules and functions of the department, it is recognised. But if it goes against the spirit or actual letter of the rules, it is not recognised, because any specific contract made contrary to the provision of the law is null and void.

**Mr. M. K. Devassy** (*Adur*) : Is there any provision in he Education Code that they cannot make any contract beyond the provisions of the Code ?

**Rao Sahib I. N. Menon** (*Director of Public Instruction*) : I do not think it requires any answer.

മിസ്റ്റർ സി. ആർ. ഇയ്യുണ്ണി : ഫ്ഫ്ഫ ഫ്ഫ്ഫ -ലൊ ഫ്ഫ്ഫ -ലൊ ബോണ്ടിന്റെ അടിസ്ഥാനപ്പെട്ടത്തി അവിടെ ജോലിചെയ്തിരുന്ന അദ്ധ്യാപകന്മാരെ ആരെയെങ്കിലും പറഞ്ഞയക്കുകയുണ്ടായോ ?

റാവുസാഹിബ് ഐ. എൻ. മേനോൻ : ഒരാൾ പിരിഞ്ഞുപോയിട്ടുണ്ട്.

മിസ്റ്റർ സി. ആർ. ഇയ്യുണ്ണി : അതിനു ഡയറക്ടർ അനുവാദം കൊടുത്തിട്ടുണ്ടോ ?

റാവുസാഹിബ് ഐ. എൻ. മേനോൻ : അതു കൊടുത്തിട്ടുണ്ടായിരിക്കണം.

മിസ്റ്റർ സി. ആർ. ഇയ്യുണ്ണി : ബോണ്ടിനെ അടിസ്ഥാനപ്പെട്ടത്തിയാണോ അതു അനുവാദം കൊടുത്തിട്ടുള്ളത് ?

**Rao Sahib I. N. Menon** (*Director of Public Instruction*): I think it must have been a mistake on the part of the authorities.

**Mr. V. K. Krishnankutty** (*Ezhuvas-Trichur*) : This document seems to have been addressed to the Director of Public Instruction. May I know Sir, when this was received ?

**Rao Sahib I. N. Menon** (*Director of Public Instruction*) : I want notice.

മിസ്റ്റർ. ടി. എ. രാമചന്ദ്രയ്യർ: അദ്ധ്യാപകന്മാരെ ഉദ്യോഗത്തിൽ വെക്കുമ്പോൾ അവരിൽ നിന്നും തിയ്യതിവെക്കാതെ രാജി ഹർജി വാങ്ങാറുണ്ടോ?

**Rao Sahib I. N. Menon** (*Director of Public Instruction*) : It is not precisely a supplementary question. I think this question has been answered once or twice before.

**Mr. M. K. Devassy** (*Adur*) : Is the Government aware that except in cases where a certain act is considered to be penal, it is open to parties to come to an agreement in contravention of any rule or law ?

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**Rao Sahib I. N. Menon** (*Director of Public Instruction*) : In regard to this particular instance, even apart from the spirit of the rules which have been violated, the admissions made by the manager herself go to prove that they were once upon a time considered to be permanent by the management. They have received concessions due only to permanent service, e. g., vacation pay, leave allowances, etc., which go to prove that they were prior to this agreement considered by the management itself to be permanent. That was an additional reason why the department could not find its way to accede to this request.

**Mr. M. K. Devassy** (*Adur*) : Is the same School running a High School department ?

**Rao Sahib I. N. Menon** (*Director of Public Instruction*): Yes.

**Mr. M. K. Devassy** (*Adur*) : Is there any grant for the High School department

**Rao Sahib I. N. Menon** (*Director of Public Instructon*) : No.

മിസ്റ്റർ കെ. എസ്. പണിക്കർ : മദ്രക്കടലാസ്സിൽ അല്ലാതെ എഴുന്ന ബോണ്ടുകളെ ഗവൺമെൻറ് വിലവെക്കാറുണ്ടോ ?

**Rao Sahib I. N. Menon** (*Director of Public Instruction*) : It needs no reply from me.

മിസ്റ്റർ കെ. എസ്. പണിക്കർ : ഇതു് ഒരു 'Commercial basis'-ൽ ആണോ നടത്തിവരുന്നതു് ?

റാവുസാഹിബു് ഐ. എൻ. മേനോൻ : എതുതരത്തിൽ ആയാലും ഗവൺമെൻറ് അതു് സമ്മതിച്ചിട്ടില്ല.

മിസ്റ്റർ കെ. എസ്. പണിക്കർ : ബോണ്ടു് കൊല്ലംതോറും മാറി എഴുതിക്കാറുണ്ടോ ?

റാവുസാഹിബു് ഐ. എൻ. മേനോൻ : ഇല്ല.

മിസ്റ്റർ കെ. എസ്. പണിക്കർ : ഒരിക്കൽമാത്രമെ എഴുതാറുള്ളുവോ ?

റാവുസാഹിബു് ഐ. എൻ. മേനോൻ : അതെ ഉള്ളു.

മിസ്റ്റർ കെ. എസ്. പണിക്കർ : രണ്ടാമതും പുതുക്കി എഴുതണം എന്നാവശ്യപ്പെട്ടതിനെ സമ്മതിക്കാത്തതുകൊണ്ടാണ് സ്റ്റാർമാർക്ക് കാണിച്ചിട്ടുള്ള നഷ്ടം പിരിച്ചെടുത്തതെന്നു ഗവൺമെണ്ടിനു് അറിയാമോ ?

റാവുസാഹിബു് ഐ. എൻ. മേനോൻ : അറിഞ്ഞുകൂടാ.

**Mr. M. K. Devassy** (*Adur*) : Is it a fact that there was an informal understanding between the authorities of this school

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and the education department, that because they are running a High School, without grant, they may be given some concessions on this point?

**Rao Sahib I. N. Menon** (*Director of Public Instruction*): This is the first time that such a surprise has been sprung upon me.

**Mr. A. V. Moothedan** (*Chalakkudi*): Is it a fact that this institution is spending a lot of money from its pockets for running this high school department?

**Rao Sahib I. N. Menon** (*Director of Public Instruction*): I have absolutely no power to pry into their private accounts. So far as bills cashed from the treasuries are concerned, we scrutinise the acquittances and if the acquittances are satisfactory, we pass the bills.

**Mr. A. V. Moothedan** (*Chalakkudi*): Are the Government aware that recently they have spent something like Rs. 5,000 for purchasing property?

**Rao Sahib I. N. Menon** (*Director of Public Instruction*): It is very likely. But we are not concerned about their financial or other calamities.

**Mr. M. K. Devassy** (*Adur*): May I know whether the manager is not competent to take any agreement from a person who is appointed by him?

**Rao Sahib I. N. Menon** (*Director of Public Instruction*): I tried to interpret the law as I knew it. If an employer and an employee agree to a contract which is not against the spirit or the express provision of a law in existence, that contract may be made and it is valid. But in my view or to any reading of the situation, a stipulation or a contract made against a law in force, is not valid or binding.

**Mr. M. K. Devassy** (*Adur*): That is not correct.

**Rao Sahib I. N. Menon** (*Director of Public Instruction*): May be.

**Mr. M. K. Devassy** (*Adur*): May I know whether the Government will be pleased to refer the matter to the Government Advocate?

**Rao Sahib I. N. Menon** (*Director of Public Instruction*): If legal remedies are required, Government are not concerned with it. It is a matter between the employer and employee.

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മിസ്റ്റർ കെ. എസ്സ്. പണിക്കർ: ഇതൊക്കെ ലീഗൽ അഡൈസർ ചെയ്യുന്നതൊ വകുപ്പദ്ധ്യക്ഷൻ ചെയ്യുന്നതൊ?

റാവുസാഹിബ്ബ് ഐ. എൻ. മേനോൻ: ചോദ്യം മനസ്സിലായില്ല.

മിസ്റ്റർ കെ. എസ്സ്. പണിക്കർ: ഇതിൽ പറഞ്ഞിട്ടുള്ള സംഗതി വകുപ്പദ്ധ്യക്ഷന്റെ അധികാര സീമയിൽ പെട്ടതോ അതോ അഡൈാക്കേറ്റ് ജനറാൽ അകവർക്കുടെ സീമയിൽ പെട്ടതോ?

റാവുസാഹിബ്ബ് ഐ. എൻ. മേനോൻ: ഇതു് ആദ്യടെ അദ്ധ്യക്ഷസീമയിൽ ആയാലും നിയമസംബന്ധമായ വാദം ഉണ്ടെങ്കിൽ അഡൈാക്കേറ്റ് ജനറാളോടു ചോദിക്കുക പതിവുണ്ടു്. അതിനുള്ള അവസരം ഉണ്ടാകാഞ്ഞതു കൊണ്ടു് ചോദിച്ചിട്ടില്ല.

**Mr. V. K. Krishnankutty** (*Ezhuvas-Trichur*): Here is a letter addressed to the Director of Public Instruction saying that such and such teachers have absolutely no complaint. May I know whether previous to this letter, the Director has ascertained from the teachers whether they have any complaint? Now here is a voluntary statement that they had no complaint. It is not a bond? It is a letter addressed to the Director from certain teachers. May I know, Sir, whether there was any occasion for this letter, whether there was any previous correspondence between the teachers and the Director provoking this letter?

**Rao Sahib I. N. Menon** (*Director of Public Instruction*): That bond, the merits of which I do not wish to discuss here, seems to have been contracted and that particular provisions seem to have been made, because, if these people had any complaints with regard to supersession, the authorities will immediately turn down the agreement. It was not exactly a letter, but part of an agreement to make it easy for the authorities to recognise the bond.

**Mr. V. K. Krishnankutty** (*Ezhuvas-Trichur*): From what we read from Appendix V, it seems to be a letter to the Director.

**Rao Sahib I. N. Menon** (*Director of Public Instruction*): That was transcribed into as a part of the letter which was submitted by the manager in submitting the usual Staff List.

**Mr. V. K. Krishnankutty** (*Ezhuvas-Trichur*): May I know whether this was received directly from the teachers or through the manager?

**Rao Sahib I. N. Menon** (*Director of Public Instruction*). Through the manager.

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**Mr. V. K. Krishnankutty** (*Ezhuvas-Trichur*): May I know Sir, whether after the complaints were received with regard to this agreement, the Director has ascertained whether the body of the letter is in the handwriting of the signatories?

**Rao Sahib I. N. Menon** (*Director of Public Instruction*): I have already stated that we had no necessity to go into the genuineness or otherwise of the bond, because at the very outset *prima facie* there was no case for an agreement like that. There was no necessity therefore to further go into the matter and enquire whether the handwriting or signatures were genuine.

**Mr. A. V. Moothedan** (*Chalakkudi*): What action was taken as soon as this letter was received in the Department?

**Rao Sahib I. N. Menon** (*Director of Public Instruction*): We refused to recognise the right of the authorities to send away all these teachers.

**Mr. A. V. Moothedan** (*Chalakkudi*): Did you inform them accordingly?

**Rao Sahib I. N. Menon** (*Director of Public Instruction*): I have not got all the papers relating to the case, because it is spread over 2 or 3 years.

## TEACHER—ST. MARY'S CONVENT HIGH SCHOOL, ERNAKULAM—RELIEVING OF.

**262. Mrs. Thankamma N. Menon** (*Ernakulam-Women*): Will the Government be pleased to state :—

(*a*) whether they have received a petition from one Miss P. J. Rose employed in the St. Mary's Convent, dated 21st Kumbham 1113;

(*b*) if so, have the Government taken any steps to redress her grievances;

(*c*) are the Government aware that the authorities of the St. Mary's Convent High School, Ernakulam, are bent upon relieving the above-mentioned Miss P. J. Rose and some other teachers who have put in more than 12 years or 13 years' service to make room for some juniors;

(*d*) if the answer is in the affirmative, will the Government be pleased to see that they are not dismissed;

(*e*) are the Government aware that one Miss P. M. Teresa, who has served the above-said institution for more than five years, was relieved to make room for a junior hand;

(*f*) are they aware that she became insane very soo after her dismissal?

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## APPENDIX V.

*(Please see answer to question No. 261).*

Copy of the agreement.

From

The Lay teachers,
St. Mary's L. S. G. S., Ernakulam.

To

The Director of Public Instruction,
Trichur.

Sir,

We have the honour to bring to your kind notice that we are appointed in this school on the expressed understanding and with our full consent that we may be relieved whenever members of the convent are available to fill up the vacancies. We are aware of the fact that the Manager has no other source of income save the salary of the few teaching Sisters and as such we have no objection whatever in giving preference to the Rev. Sisters in the staff. As regards the arrangements in the staff list for 1107—1108 submitted per C. No. 150/32, dated 6th Edavam 1107 also we have no complaints.

We have the honour to be,
Sir,
Your most obedient servants,

| | | | | | | |
|---|---|---|---|---|---|---|
| 1. | Miss A. Kunjikavu | teacher, | Prep. Class | (sd.) | Resigned | 1108 |
| 2. | ,, Alie Raphael* | (1) | Class III A | (sd.) | | |
| 3. | ,, P. J. Rose* | (4) | ,, II B | (sd.) | | |
| 4. | ,, P. P. Mariam | | ,, I C | (sd.) | | 1112 |
| 5. | ,, Pilie Teresa* | (2) | ,, I A | (sd.) | | |
| 6. | ,, P. J. Teresa* | (3) | ,, I B | (sd.) | | |
| 7. | ,, T. L. Teresa ag. for K. T. Teresa | | ,, I C | (sd.) | ,, | 1109 |
| 8. | ,, M. J. Anna, | Needle-work Mistress | | (sd.) | ,, | 1109 |
| 9. | ,, C. K. Kunjamma, | Music Mistress | | (sd,) | ,, | 111c |
| 10. | Mr. P. K. Joseph* | Drawing Master | | (sd.) | | |
| 11. | Mr. T. K. Pisharoty* | Sanskrit Pandit | | (sd.) | | |

*Members in the staff at present.

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